

April 24, 2006

Dear Intrastate Natural Gas and Hazardous Liquid Operator:

Subject: Damage Prevention Initiative/Data Request

As you may be aware, state law does not assign specific responsibility or authority for enforcing the state dig law. Before any entity can be subject to the penalties in state law, either the prosecutor or state attorney general must file charges in court and successfully prosecute the case. As a result, enforcement of the law is rare.

In an effort to increase enforcement and compliance, and encourage safe digging, we intend to pursue formal enforcement action against some of the state's most flagrant violators of our dig law. We also expect to pursue compliance with many of the next tier of violators. Because the commission does not have direct authority, these actions will be performed by the state attorney general's office at the request of the commission.

To accomplish this initiative, we need information concerning your top 10 excavators who have hit your pipeline systems in recent years when digging without utility locates. Data should include the entity name, dates on which the damages occurred, associated costs, and any other supporting documentation which might assist us in determining whether we seek prosecution and/or issue a compliance letter. Your participation may not be limited to providing data however. If the complaints go to trial, your company will need to provide witnesses who can testify to the damage done.

We ask that you submit your documentation no later than May 26, 2006. If you have any questions, please contact Carlene Hughes at (360) 664-1224.

Sincerely,

Alan E. Rathbun
Pipeline Safety Director

cc. Carlene Hughes, WUTC